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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,345	12/20/2001	Steve Y. Chang	884.690US1	9612
21186	7590	08/23/2006	EXAMINER	
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A. P.O. BOX 2938 MINNEAPOLIS, MN 55402			PHAN, THANH S	
			ART UNIT	PAPER NUMBER
			2841	

DATE MAILED: 08/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/027,345

Applicant(s)

CHANG ET AL

Examiner

Thanh S. Phan

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-61 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-61 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 5, 7, 8-10, 12-16, 18-24, 27-31, 33, 36, 39-50, 52, 53, 55, 56, rejected under 35 U.S.C. 103(a) as being unpatentable over Collins et al. in view of Sakakibara et al. [US 4,681,712].

Regarding claims 1, 13, 27, 28, 33, 43, Collins et al. disclose an electromagnetic interference (EMI) shield [14] comprising: a waveguide body including an array of waveguide cells [18] each having a contiguous inner surface; and a single layer covering at least a portion of each contiguous inner surface, the single layer including an absorbing layer [a conductive layer; column 2, lines 59-61] covering at least a portion of each contiguous inner surfaces and capable of absorbing electromagnetic radiation over a select frequency range [column 3, line 29-34].

Collins et al. disclose the claimed invention except for wherein the absorbing layer including an epoxy resin with particles having high magnetic loss tangent.

Sakakihara et al. teaches wherein an absorbing coating/layer including epoxy resin with particles is applied on the surface of a molding product [column 2, line 51 +].

Collins et al. and Sakakibara et al. are analogous art because they are from the same field of endeavor to make molding products.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teachings of Sakakibara et al. with the product of Collins et al. for the purpose of providing a function to absorb electromagnetic waves.

Regarding claims 3, 15, 36, 53, Collins et al. disclose wherein each waveguide cell has a circular cross-section [figures 2-3].

Regarding claims 5, 14, Collins et al. disclose wherein the absorber layer covers the entire contiguous inner surface [column 3, lines 3-17].

Regarding claims 7, 29, 30, Collins et al. and Sakakibara et al. disclose that the resistivity of the absorber layer is **about** the claimed range.

Regarding claims 8, 39, 40, Collins et al. disclose wherein the waveguide body is formed of an insulating material [column 3, lines 3-17].

Regarding claims 10, 18, Collins et al. disclose wherein the wherein the select frequency range includes frequencies in the megahertz (MHz) range and the gigahertz (GHz) range [column 3, lines 29-34].

Regarding claims 19, 20, 21, 31, 46, 47, 52, 55, 56, Collins et al. disclose a computer [figure 3] comprising a metal chassis [10] having an aperture [not explicitly numbered], the chassis adapted to enclose portions of the computer that generates heat and EMI over a select range [a computer which having at least one electronic components such as a CPU chip]; and an EMI waveguide shield [14] fixed to the chassis and covering the aperture, the EMI waveguide shield including an array of waveguide cells [18] each having a contiguous inner surface and a single layer covering at least a portion of each contiguous inner surface, the single layer including an

absorber layer [a conductive layer; column 2, lines 60-61] covering at least a portion of each contiguous inner surface, the absorber layer capable of absorbing the EMI.

Collins et al. disclose the claimed invention except for wherein the absorbing layer including an epoxy resin with particles having high magnetic loss tangent.

Sakakihara et al. teaches wherein an absorbing coating/layer including epoxy resin with particles is applied on the surface of a molding product [column 2, line 51 +].

Collins et al. and Sakakibara et al. are analogous art because they are from the same field of endeavor to make molding products.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teachings of Sakakibara et al. with the product of Collins et al. for the purpose of providing a function to absorb electromagnetic waves.

Regarding claim 22, Collins et al. disclose wherein the waveguide shield includes a body formed from an insulator [column 2, lines 55+].

Regarding claims 23, 24, the method steps are necessitated by the apparatus discloses by Collins et al. and Sakakibara et al.

Regarding claims 9, 12, 16, 19, 39-42, 44, 45, 48-50, Collins et al. and Sakakibara et al. disclose the claimed invention except for the specific material used.

It is old and well known in the technology to use or have more than one type(s) of material as insulating materials depend upon the material characteristic.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to a specific material for manufacturing a product, since it has been held to be within the general skill of a worker in the art to select a known material on the

basis of its suitability for the intended use as a matter of engineering choice. In re Leshin, 125 USPQ 416.

Regarding claim 34, Collins et al. disclose the claimed invention except for the specific dimension of the apertures.

It is old and well known in the technology to provide a specific dimension for a component(s) to meet its functional specification.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made use a specified dimension, since such a modification would have been involved a mere change in the size of a component. A change in size is generally recognized as being within the level of ordinary skill in the art. In re Rose, 105 USPQ 237 (CCPA 1955).

Claims 2, 4, 15, 35, 12 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Collins et al. and Sakakibara et al. in view of Mitchell [6,426,459].

Regarding claims 2, 12 and 54, Collins et al. and Sakakibara et al. disclose the instant claimed invention except for: each waveguide cells having a polygonal crosssection, and the shield being formed of a metallic material.

Mitchell discloses a waveguide shield [10] formed of metal having polygonal shape cells.

It would have been obvious to a person having ordinary skill in the art at the time invention was made to use the shield design of Mitchell for the shield design of Collins et al. for the purpose of improving ventilation.

Regarding claims 4, 15, 35 and 54, Collins et al. as modified by Mitchell does not disclose the specific claimed shaped. However, it would have been obvious to modify Collins et al. as modified by Mitchell by having a specific shapes cell with different type of configurations since applicant have presented no explanation that these particular configurations of the cells are significant or are anything more than one of numerous configurations a person of ordinary skill in the art would find obvious for the purpose of providing a cross section between the two walls. A change in shape is generally recognizing as being within the level of ordinary skill in the art. In re Dailey, 149 USPQ 47 (CCPA 19760).

Claims 11, 50, 57-61 rejected under 35 U.S.C. 103(a) as being unpatentable over Collins et al. and Sakakibara et al. as applied to claims 1 13, 19, 23, 27 and 46 above, and further in view of Applicant Admitted Prior Art; AAPA hereinafter.

Regarding claims 11, 50, 57-61, Collins et al. and Sakakibara et al. discloses the claimed invention except for the material used is a C-RAM-type.

AAPA disclose a suitable material for absorber layer is called C-RAM.

Collins et al. and Sakakibara et al. and AAPA are analogous art because they are from the same field of providing EMI capability.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to use the material as suggested by AAPA with Collins et al., as modified, for the purpose of achieving and/or controlling the a specified range of frequencies.

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Claims 6, 17, 25, 32, 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Collins et al. and Sakakibara et al. in view of Clement et al. [US 6,809,254].

Collins et al. and Sakakibara et al. disclose the claimed invention except for the thickness of the absorbing layer is between .025 mm and .25 mm

Clement et al. disclose an electronics enclosure having an interior shielding comprising a shielding layer [14] having a thickness between .025 mm and .25 mm

Collins et al., Sakakibara et al. and Clement et al. are analogous art because they are from the same field of endeavor to make products with EMI shielding capability.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to use an absorbing layer having a thickness between .025 mm and .25 mm as teach by Clement et al. with Collins et al., as modified, to effectively providing EMI shielding.

Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Collins et al., as modified, in view of Pierce [US 5,431,974].

Regarding claim 26, Collins et al., as modified, disclose the claimed invention except for using screws to attach the shielding to the chassis would have been obvious in order to securely mounted the shield thereto.

Pierce teaches that it is known to use screws, bolts and the like with an electromagnetic radiation shielding filter assembly [column 3, line 20-22].

Collins et al., as modified, and Pierce are analogous art because they are from the same field of endeavor.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to use the teachings of Pierce with Collins et al., as modified, to facilitate the attachment of the shielding assembly to a surface.

Response to Arguments

Applicant's arguments filed 05/30/06 have been fully considered but they are not persuasive. Applicant has emphasized the arguments to the newly added limitation, "**a single layer** covering at least...including an absorber layer including an epoxy resin with particles..." and that the combination of Collins et al. and Sakakibara et al. fails to disclose such **single layer**. As admitted and accepted by the applicant in the claims, that a single layer is capable of including an absorber layer which including an epoxy resin with particles... Regarding the claims language, there is not a discernable difference presented in the claims that differentiates between what is claimed and what is disclosed by the prior art of record. In the same breath that of the applicant, the prior art of record could and should having a single layer including layer including an epoxy resin and/or multilayer coating. For the foregoing reasons, the claims continues to be anticipated by the combination of Collins et al. and Sakakibara et al.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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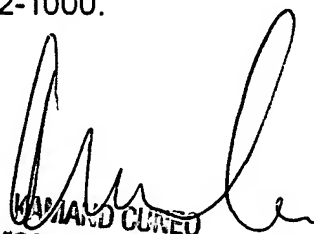
mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh S. Phan whose telephone number is 571-272-2109. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamand Cuneo can be reached on 571-272-1957. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

tsp


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